REMARKS

In the instant application, claims 1-21, 23-25, and 28-29 have been canceled, claims 22, 26, and 27 have been amended, and claims 30-51 have been newly added. Applicants reserve the right to pursue the canceled subject matter in later, to be filed applications.

Claims 22, 26, and 27 have been amended and claims 30-51 have been added to more clearly define Applicants' invention. Support for the amended and new claims can be found throughout the specification as filed, for example, in Table 1 on page 38. Therefore, claims 22, 26, 27, and 30-51 are fully supported by the application as filed.

In a restriction requirement dated July 20, 2005, the Office required restriction under 35 U.S.C. § 121 between:

Group I:	Claims 1-21, drawn to an albumin fusion protein comprising a therapeutic protein X and albumin (SEQ ID NO:18), classified in class 424, subclass 192.1.
Group II:	Claims 22-25, drawn to a method of treating a disease or disorder in a patient, classified in class 514, subclass 12.
Group III:	Claim 26, drawn to a method of extending the shelf life of Therapeutic protein X, classified in class 435, subclass 449.
Group IV:	Claims 27-29, drawn to a nucleic acid molecule, classified in class 536, subclass 23.4.

The Office has also required the Applicants to make an additional election of a Therapeutic protein.

Applicants provisionally elect to prosecute Group I, drawn to an albumin fusion protein, with traverse. Although claims 1-21, which were assigned to Group I, have

been canceled, new claims 30-51, drawn to an albumin fusion protein comprising a HJACE54 polypeptide fused to albumin or albumin fragment or variant thereof, are elected as part of Group I.

According to MPEP § 803, there are two requirements that must be met before a proper restriction requirement may be made: (1) the inventions must be independent or distinct as claimed; and (2) there must be a serious burden on the Examiner if restriction is not required. Applicants respectfully submit that the Office has failed to establish the second requirement set forth in MPEP § 803.

In the present invention, Group I is directed to an albumin fusion protein comprising a HJACE54 polypeptide fused to albumin or albumin fragment or variant thereof. Group II is directed to a method of treating a disease or disorder in a patient by administering the albumin fusion protein as defined in Group I. Group III is directed to a method of extending the shelf life of a HJACE54 polypeptide by fusing a HJACE54 polypeptide to albumin or albumin fragment or variant thereof as defined in Group I. Group IV is directed to a nucleic acid molecule comprising the albumin fusion protein as defined in Group I. Therefore, a search and examination of the subject matter of Group I would encompass a search for the subject matters of Groups II, III, and IV, and any additional search would not impose a serious burden upon the Examiner.

It is therefore respectfully requested that the restriction requirement be reconsidered. In the event that the restriction requirement is maintained, Applicants reserve the right to file divisional applications on the non-elected inventions and/or to

request rejoinder of appropriate claims once the subject matter of claims 30-51 is found allowable.

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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